



500 Capitol Mall, Suite 1600  
Sacramento, CA 95814  
main 916.447.0700  
fax 916.447.4781  
www.stoel.com

June 15, 2010

JOHN A. MCKINSEY  
*Direct (916) 319-4746*  
jamckinsey@stoel.com

**VIA EMAIL AND HAND DELIVERY**

The Honorable James D. Boyd  
Presiding Member  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814

The Honorable Anthony Eggert  
Associate Member  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814

Hearing Officer Paul Kramer  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814

**Re: Carlsbad Energy Center Project (07-AFC-6)  
Request for Scheduling Order**

Dear Commissioners Boyd and Eggert and Hearing Officer Kramer:

At the close of evidentiary hearings for the Carlsbad Energy Center Project ("CECP" or "Project") on February 4, 2010, the parties were informed that a briefing schedule would follow on February 18, 2010. To date, no such order has been issued. By this letter, Carlsbad Energy Center LLC ("Applicant") requests an order be issued so the parties may file their respective briefs on contested topics related to this proceeding, which will pave the way for the Committee to prepare and publish the Presiding Members Proposed Decision ("PMPD").

As this Committee is aware, Applicant filed the CECP application for certification ("AFC") in September 2007. Applicant understands that staffing issues, budget cuts and an influx of renewable energy projects presented to the Commission have affected the finalization of the CECP AFC proceedings. Hence, the proceedings have now lingered far longer than Applicant anticipated.

Many important aspects of CECP have been enumerated during the CECP AFC process. Some of the more key aspects include: 1) employment of advanced, fast start, high-efficiency combustion turbine technology; 2) elimination of 225 million gallons per day of seawater



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cooling; and, 3) facilitation of the shutdown of Encina Power Station Units 1-3. Nevertheless, the most important attribute of CECP is its location. The Project is located in San Diego County, a region badly in need of electrical reliability.

Applicant is prepared to brief all "contested" topics on a shortened schedule, thereby allowing the Committee to make its determinations and finalize the PMPD as soon as possible. To that end, we request the Committee issue a revised scheduling order, which includes the briefing schedule, and a date by which Applicant may expect the PMPD as the Applicant is seeking a Final Decision for CECP in 2010.

Very truly yours,

John A. McKinsey

JAM:kjh

cc: See enclosed Proof of Service

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
COMMISSION OF THE STATE OF CALIFORNIA  
1516 NINTH STREET, SACRAMENTO, CA 95814  
1-800-822-6228 – [WWW.ENERGY.CA.GOV](http://WWW.ENERGY.CA.GOV)

APPLICATION FOR CERTIFICATION  
FOR THE CARLSBAD ENERGY  
CENTER PROJECT

Docket No. 07-AFC-6  
PROOF OF SERVICE  
(Revised 2/16/2010)

Carlsbad Energy Center LLC's  
Request for Scheduling Order

CALIFORNIA ENERGY COMMISSION  
Attn: Docket No. 07-AFC-6  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512  
[doCKET@energy.state.ca.us](mailto:doCKET@energy.state.ca.us)

**APPLICANT**

David Lloyd  
Carlsbad Energy Center, LLC  
1817 Aston Avenue, Suite 104  
Carlsbad, CA 92008  
[David.Lloyd@nrgenergy.com](mailto:David.Lloyd@nrgenergy.com)

George L. Piantka, PE  
Carlsbad Energy Center LLC  
1817 Aston Avenue, Suite 104  
Carlsbad, CA 92008  
[george.piantka@nrgenergy.com](mailto:george.piantka@nrgenergy.com)

**APPLICANT'S CONSULTANTS**

Robert Mason, Project Manager  
CH2M Hill, Inc.  
6 Hutton Centre Drive, Ste. 700  
Santa Ana, CA 92707  
[Robert.Mason@ch2m.com](mailto:Robert.Mason@ch2m.com)

Megan Sebra  
CH2M Hill, Inc.  
2485 Natomas Park Drive, Ste. 600  
Sacramento, CA 95833  
[Megan.Sebra@ch2m.com](mailto:Megan.Sebra@ch2m.com)

**COUNSEL FOR APPLICANT**

John A. McKinsey  
Stoel Rives LLP  
500 Capitol Mall, Ste. 1600  
Sacramento, CA 95814  
[jamckinsey@stoel.com](mailto:jamckinsey@stoel.com)

**INTERESTED AGENCIES**

California ISO  
P.O. Box 639014  
Folsom, CA 95763-9014  
(e-mail preferred) [e-recipient@caiso.com](mailto:e-recipient@caiso.com)

**INTERVENORS**

City of Carlsbad  
South Carlsbad Coastal Redevelopment Agency  
Allan J. Thompson  
Attorney for City  
21 "C" Orinda Way #314  
Orinda, CA 94563  
[allanori@comcast.net](mailto:allanori@comcast.net)

City of Carlsbad  
South Carlsbad Coastal Redevelopment Agency  
Joseph Garuba, Municipals Project Manager  
Ronald R. Ball, Esq., City Attorney  
1200 Carlsbad Village Drive  
Carlsbad, CA 92008 (e-mail preferred)  
[Joe.Garuba@carlsbadca.gov](mailto:Joe.Garuba@carlsbadca.gov);  
[ron.ball@carlsbad.ca.gov](mailto:ron.ball@carlsbad.ca.gov)

Terramar Association  
Kerry Siekmann & Catherine Miller  
5239 El Arbol  
Carlsbad, CA 92008  
[siekmann1@att.net](mailto:siekmann1@att.net)

California Unions for Reliable Energy ("CURE")  
Gloria D. Smith & Marc D. Joseph  
Adams Broadwell Joseph & Cardozo  
601 Gateway Boulevard, Suite 1000  
South San Francisco, CA 94080  
[gsmith@adamsbroadwell.com](mailto:gsmith@adamsbroadwell.com)  
[mdjoseph@adamsbroadwell.com](mailto:mdjoseph@adamsbroadwell.com)



**INTERVENORS**

Center for Biological Diversity  
c/o William B. Rostove  
EARTHJUSTICE  
426 17th St., 5th Floor  
Oakland, CA 94612  
[wrostov@earthjustice.org](mailto:wrostov@earthjustice.org)

Power of Vision  
Julie Baker and Arnold Roe, Ph.D.  
4213 Sunnyhill Drive  
Carlsbad, CA 92008-3647  
[powerofvision@roadrunner.com](mailto:powerofvision@roadrunner.com)

Rob Simpson  
Environmental Consultant  
27126 Grandview Avenue  
Hayward, CA 94542  
[rob@redwoodrob.com](mailto:rob@redwoodrob.com)

**ENERGY COMMISSION**

JAMES D. BOYD  
Vice Chair and Presiding Member  
[jboyd@energy.state.ca.us](mailto:jboyd@energy.state.ca.us)

ANTHONY EGGERT  
Commissioner and Associate Member  
[aeggert@energy.state.ca.us](mailto:aeggert@energy.state.ca.us)

Paul Kramer  
Hearing Office  
[pkramer@energy.state.ca.us](mailto:pkramer@energy.state.ca.us)

Mike Monasmith  
Siting Project Manager  
[mmonasmi@energy.state.ca.us](mailto:mmonasmi@energy.state.ca.us)

Dick Ratliff  
Staff Counsel  
[dratliff@energy.state.ca.us](mailto:dratliff@energy.state.ca.us)

Jennifer Jennings  
Public Adviser's Office  
[publicadviser@energy.state.ca.us](mailto:publicadviser@energy.state.ca.us)

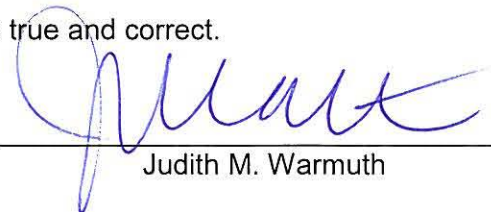
**DECLARATION OF SERVICE**

I, Judith M. Warmuth, declare that on June 15, 2010, I deposited copies of the aforementioned document in the United States mail at 500 Capitol Mall, Suite 1600, Sacramento, California 95814, with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

**OR**

Transmission via electronic mail was consistent with the requirements of California Code of Regulations, Title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

I declare under penalty of perjury that the foregoing is true and correct.

  
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Judith M. Warmuth